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SUBJECT: DUTCH PREVIEW EU PRESIDENCY IMMIGRATION ISSUES

1. SUMMARY: ConGen, Embassy and USEU officials met recently with the Justice Ministry to discuss immigration issues for upcoming Dutch EU presidency. The Dutch invited USG to make a presentation on biometrics and US-VISIT program at an EU seminar on biometrics in The Hague July 1 and 2. The Dutch stressed concern that the decision to enroll VWP travelers in US-VISIT at the end of September would receive widespread negative press attention and could generate calls for retaliatory action. They also emphasized the focus of their presidency would be implementation of existing agreements rather than generation of new policy. Finally, they indicated Justice/Immigration DG Visser hoped to visit the U.S. soon (July 1 is suggested time). END SUMMARY.

2. At an April 15 meeting with Consul General, Global Issues officers and USEU representative, Ministry of Justice officials discussed preparations on immigration issues for their EU presidency. A 10-person EU Presidency team, headed by Reiner ter Kuile, Director of Immigration Policy, had been formed to focus on these issues.

3. Mr. ter Kuile re-iterated an invitation to the U.S. to make a presentation at an EU seminar on biometrics to be held in The Hague July 1-2. They would like the speaker to address: (1) latest information on the US-VISIT and VWP programs; (2) American experience with facial recognition and finger scanning, especially in connection with US-VISIT; (3) likely future developments related to use of biometrics in U.S. documents; (4) views on iris scanning and the uses for which it might be appropriate; (5) preparations to introduce biometric enrollment at our land borders; and (6) prospects for standardization of U.S. drivers licenses, birth certificates and similar key identification documents issued by individual states. [Note: DHS Sec. Ridge told Justice Minister Donner on March 31 he would send Jim Williams, DHS Director of US-VISIT program, to participate in the seminar.]

4. The Dutch stressed their concern that the decision to enroll VWP travelers in US-VISIT in September would receive widespread negative press attention and might generate calls for retaliatory actions against US visitors. They warned that the European press would probably be deliberately provocative and inflammatory and the subject was ideally suited to liven up an end-of-summer news lull. They feared this could develop into an ugly confrontation with at least some EU member countries and create an unwelcome distraction during the fall. They urged the U.S. to develop an early and effective public relations campaign to explain US-VISIT procedures and address/defuse likely concerns about long lines at U.S. POEs, invasion of privacy, being "treated like criminals," etc. Justice Ministry Director General for Immigration Rob Visser raised similar concerns in his discussion with visiting EUR PDAS Charles Ries April 27.

5. While Ter Kuile and others stressed immigration and security issues would be priority issues during their presidency, they did not offer program specifics. They spoke of three areas of concentration - providing a strategic view on immigration issues (a post Tampere framework); working on the visa information system and biometrics; and trying to tie more development aid to good migration policy in third countries. They emphasized the Dutch intention to focus on implementing existing EU agreements rather than launching new initiatives.

6. The Dutch Immigration Service has been trying to get DG Visser to visit the U.S. for the past several months. During his meeting with EUR PDAS Ries, Visser indicated he hoped to get to Washington around July 1. When the Embassy followed up with Visser's office on May 10, it was unable to confirm a date. [Note: Visser will be the Justice Ministry's senior point of contact for JHA issues during the Dutch EU presidency. The Immigration Service would like him to visit the U.S.-Canadian and -Mexican borders, in addition to high-level Washington meetings. We will keep Washington informed of Visser's travel plans.]

7. COMMENT: The invitation to participate in the July biometrics seminar provides an excellent opportunity to demonstrate our interest in accelerating EU progress in developing and harmonizing Member States' biometrics programs. It will be important to send appropriately senior experts to help the Dutch launch this initiative. The Dutch team was emphatic about the potential for "trouble" arising

from enrolling VWP country travelers in US-VISIT. They said most EU Member State governments would understand the U.S. action, but it could become a political issue, ala PNR, complicating their presidency. They strongly urged the U.S. to anticipate an adverse public reaction, develop a strategy for responding to it and keep the Dutch informed to enable them to minimize any problems. Finally, it is apparent the Dutch do not plan to launch any new initiatives during their presidency, but will work to move things along that are already in the pipeline (like biometrics in travel documents and measures to combat terrorism). According to USEU, this will mirror the Irish approach. END COMMENT.

SOBEL